

CPEL0053663

Patent Office of the People's Republic of China

Address : Receiving Section of the Chinese Patent Office, No. 6 Tucheng Road West, Haidian District, Beijing, Postal code: 100088

Applicant	SEMICONDUCTOR ENERGY LABORATORY COMPANY LIMITED		Seal of Examiner	Date of Issue
Agent	China Patent Agent (H.K.) Ltd.			March 5, 2004
Patent Application No.	01103018.6	Application Date	January 17, 2001	Exam Dept.
Title of Invention	DISPLAY SYSTEM AND ELECTRICAL APPLIANCE			

First Office Action

1. ☒ Pursuant to the provision of Article 35 (1) of the Chinese Patent Law, the examiner made an examination as to substance of the captioned patent application for invention upon the request for substantive examination filed by the applicant.
- ☐ Pursuant to the provision of Article 35 (2) of the Chinese Patent Law, the Chinese Patent Office has decided to conduct on its own initiative an examination as to substance of the captioned patent application for invention.
2. ☒ The applicant requests taking the filing date, January 17, 2000, at the JP Patent Office, the filing date, _____, at the _____ Patent Office, the filing date, _____, at the _____ Patent Office as the priority date of the present application.
- ☒ A copy of the first filed patent application certified by the receiving organ of the initial country of filing has been submitted by the applicant.
- ☐ A copy of the first filed patent application certified by the receiving organ of the initial country of filing has not been submitted by the applicant. Pursuant to the provision of Article 30 of the Chinese Patent Law, no priority right shall be deemed to have been claimed.
3. ☐ The applicant filed amended application document(s) on _____ and _____.
- ☐ Examination has confirmed that _____ filed on _____ cannot be accepted, _____ filed on _____ cannot be accepted,
- as the above amendment(s) ☐ is/are not in conformity with the provision of Article 33 of the Chinese Patent Law.
- ☐ is/are not in conformity with the provision of Rule 51 of the Implementing Regulations of the Chinese Patent Law.
- ☐ For the specific reason that the amendment(s) cannot be accepted, see the text of the Office Action.

4. ☒ The examination is conducted in the light of the original application document(s)
☐ The examination is conducted in the light of the following application document(s):
in the original application documents submitted on the filing date:
Claim(s) _____, page(s) _____ of the description, Figure(s)
of the drawing(s); Claim(s) _____, page(s) _____ of the description,
Figure(s) _____ submitted on _____; Claim(s) _____, page (s)
of the description, Figure(s) _____ submitted on _____
☐ Abstract of the description submitted on _____.
5. ☐ The present Office Action has been prepared without a search having been conducted.
☒ The present Office Action has been prepared with a search having been conducted.
☒ The following reference document(s) is/are cited in this Office Action (its/their serial number(s) will, continue to be used throughout the examination procedure):

No.	Number or Title of Document	Date of Publication (or filing date of interfering application)
1	WO99/40559A2	(Date) August 12, 1999
2	CN1217806A	(Date) May 26, 1999
3		(Date)
4		
5		
6		

6. The concluding comments of the examiner are:

- ☒ On the description:
☐ The content of the application comes within the scope where no patent right is granted as provided in Article 5 of the Patent Law.
☐ The description is not in conformity with the provision of Article 26(3) of the Patent Law.
☒ The drafting of the description is not in conformity with the provision of Rule 18 of the Implementing Regulations.
- ☒ On the claims:
☐ Claim comes within the scope where no patent right is granted as provided in Article 25 of the Patent Law.
☐ Claim is not in conformity with the definition of invention in Rule 2(1) of the Implementing Regulations.
☒ Claim 1, 3 does not possess novelty as provided in Article 22(2) of the Patent Law.
☒ Claim 2, 4, 10, 11, 12 does not possess inventiveness as provided in Article 22(3) of the Patent Law.
☐ Claim _____ does not possess practical applicability as provided in Article 22(4) of the Patent Law.
☒ Claim 5 is not in conformity with the provision of Article 26(4) of the Patent

Law.

- ☐ Claim _____ is not in conformity with the provision of Article 31(1) of the Patent Law.
- ☒ Claim 5, 13, 18, 23, 29, 34 is not in conformity with the provisions of Rules 20-23 of the Implementing Regulations:
- ☐ Claim _____ is not in conformity with the provision of Article 9 of the Patent Law.
- ☐ Claim _____ is not in conformity of the provision of Rule 12(1) of the Implementing Regulations.

For specific analyses of the above concluding comments, see the text of this Office Action.

7. In view of the above concluding comments, the examiner holds that:

- ☐ The applicant should amend the application document in accordance with the requirements raised in the text of this Office Action. The amended document(s) should be submitted in duplicate and should conform to the provisions of Article 33 of the Patent Law and Rule 51 of the Implementing Regulations of the Chinese Patent Law.
- ☒ The applicant should expound in his Observations the reasons why the captioned patent application is patentable and amend the places not conforming to regulations as pointed out in the text of the Office Action, otherwise it would be impossible for the patent right to be granted.
- ☐ The captioned patent application contains no substantive content for which the patent right may be granted, thus if the applicant has not advanced his reasons or has not done so adequately, the application will be rejected.

8. The applicant should pay attention to the following matters:

- (1) In accordance with the provision of Article 37 of the Patent Law, the applicant should submit his/its Observations within four months from the date of receipt of this Office Action; if, without any justified reason, the time limit for making response is not met, the application will be deemed to have been withdrawn.
- (2) The amendments made by the applicant to his application should conform to the provision of Article 33 of the Patent Law, the amended text should be in duplicate and the format should conform to the relevant provisions of the Guidelines for Examination.
- (3) The applicant's Observations or amended text should be mailed or presented to the Receiving Section of the Chinese Patent Office. Document no mailed or presented to the Acceptance Section have no legal force.
- (4) Without making an appointment, the applicant and/or agent may not come to the Chinese Patent Office to hold an interview with the examiner.

9. This Office Action consists of the text portion totalling 5 page(s) and of the following annex(es):

- ☒ 2 duplicate copies of the reference document(s) cited totalling 38 page(s).

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First Office Action

As stated in the description, this application relates to a display system and an electrical appliance. Through examination, now the following examination opinions are provided:

(I)

1. Claims 1 and 3 have no novelty prescribed in Art. 22, para. 2 of the Patent Law.

Claim 1 claims a display system. Ref. 1 discloses a display system and specifically discloses the technical features (p. 2, line 8 to p. 4, line 22 of the description): the display system includes a light source 14, the display system can control a luminance of the light source through the intensity of the ambient light. It shows that ref. 1 has disclosed all the technical features of said claim, besides, the technical solution disclosed in ref. 1 and the technical solution claimed in said claim belong to the same technical field, deal with the same technical matter and can produce the same technical effects, therefore the technical solution of said claim has no novelty prescribed in Art. 22, para. 2 of the Patent Law.

Claim 3 is a dependent claim of claim 1, the additional technical feature in the characterizing portion of said claim has also been disclosed in ref. 1

(ibid.): the light source is an EL device. Therefore, when claim 1 referred to has no novelty, the technical solution of said claim has no novelty prescribed in Art. 22, para. 2 of the Patent Law.

2. Claims 2, 4, 10, 11 and 12 have no inventiveness prescribed in Art. 22, para. 3 of the Patent Law.

Claim 2 is a dependent claim of claim 1, the additional technical feature in the characterizing portion of said claim is "said information signal comprises a user's living-body information". The technical feature that the signal of an environment comprises a user's living-body information belongs to publicly-known general knowledge of this field, using the publicly-known general knowledge is obvious to those skilled in the art. Therefore, when claim 1 referred to has no novelty, the technical solution of said claim has no inventiveness prescribed in Art. 22, para. 3 of the Patent Law for failure to possess prominent substantive features, nor represent a notable progress.

Claim 4 is a dependent claim of claim 1, the additional technical feature in the characterizing portion of said claim is "said display system is incorporated in one selected from the group consisting of a video camera ... computer". The technical feature that the display system is incorporated in an electronic apparatus such as a video camera belongs to

publicly-known general knowledge of this field, using the publicly-known general knowledge is obvious to those skilled in the art. Therefore, when claim 1 referred to has no novelty, the technical solution of said claim has no inventiveness prescribed in Art. 22, para. 3 of the Patent Law for failure to possess prominent substantive features, nor represent a notable progress.

Claim 10 claims a display system. Ref. 1 discloses a display system and specifically discloses the technical features (ibid.): the display system includes a light source 14 (corresponding to the EL element in this invention), the light source has two electrodes 6, 7 and an EL active layer 5 sandwiched between the two electrodes, the display system can control a luminance of the light source through the intensity of the ambient light. It shows that ref. 1 has disclosed most of the technical features of said claim, the difference is: the display system further comprises a current control TFT electrically connected to one of said two electrodes of said EL element. Ref. 2 discloses a current-driven emissive display device and a method for manufacturing the same and specifically discloses the technical features (p. 5, lines 22-30, Fig. 1 of the description): the thin-film transistor 122 of the emissive display device is electrically connected to one electrode of an EL display element 131. It shows that the distinguishing technical feature has been disclosed in ref. 2, the function

performed by the technical feature in ref. 2 is identical with that performed in this invention for dealing with the technical matter, i.e., to control the light emitted by the EL element, in other words, the teaching of dealing with the technical matter can be obtained by applying the technical feature in ref. 2 to ref. 1. It shows that it is obvious to those skilled in the art to obtain the technical solution claimed in said claim on the basis of ref. 1 and in combination with ref. 2, therefore the technical solution of claim 10 has no inventiveness prescribed in Art. 22, para. 3 of the Patent Law for failure to possess prominent substantive features, nor represent a notable progress over refs. 1 and 2.

Claim 11 is a dependent claim of claim 10, the additional technical feature in the characterizing portion of said claim is "said information signal comprises a user's living-body information". The technical feature that the signal of an environment comprises a user's living-body information belongs to publicly-known general knowledge of this field, using the publicly-known general knowledge is obvious to those skilled in the art. Therefore, when claim 10 referred to has no novelty, the technical solution of said claim has no inventiveness prescribed in Art. 22, para. 3 of the Patent Law for failure to possess prominent substantive features, nor represent a notable progress.

Claim 12 is a dependent claim of claim 10, the additional technical feature in the characterizing portion of said claim is "said display system is incorporated in one selected from the group consisting of a video camera ... computer". The technical feature that the display system is incorporated in an electronic apparatus such as a video camera belongs to publicly-known general knowledge of this field, using the publicly-known general knowledge is obvious to those skilled in the art. Therefore, when claim 10 referred to has no novelty, the technical solution of said claim has no inventiveness prescribed in Art. 22, para. 3 of the Patent Law for failure to possess prominent substantive features, nor represent a notable progress.

3. Claims 5, 13, 18, 23, 29 and 34 are not in conformity with the provision of Rule 21, para. 2 of the Implementing Regulations of the Patent Law.

Independent claim 5 lacks indispensable technical features necessary for dealing with the technical matter, which is not in conformity with the provision of Rule 21, para. 2 of the Implementing Regulations of the Patent Law. According to the disclosure contained in the description, the technical matter to be dealt with in the invention (i.e., the object of the invention) is "to provide a display system which enables luminance control ... using the display system". An A/D converter and a D/A

converter are indispensable technical features necessary for dealing with the technical matter, said claim doesn't include the technical features so that the conversion between digital signals and analog signals cannot be made, therefore the technical matter of the invention cannot be dealt with.

Besides, claims 23 and 34 do not include an A/D converter and a D/A converter, which is not in conformity with the provision of Rule 21, para. 2 of the Implementing Regulations of the Patent Law.

Independent claim 13 lacks indispensable technical features necessary for dealing with the technical matter, which is not in conformity with the provision of Rule 21, para. 2 of the Implementing Regulations of the Patent Law. According to the disclosure contained in the description, the technical matter to be dealt with in the invention (i.e., the object of the invention) is "to provide a display system which enables luminance control ... using the display system". A CPU, an A/D converter, a D/A converter and a voltage changer are indispensable technical features necessary for dealing with the technical matter, said claim doesn't include the technical features, therefore the technical matter of the invention cannot be dealt with.

Besides, claims 18 and 29 do not include indispensable technical features,

display device in said claim, thus making the protection scope of said claim unclear, which is not in conformity with the provision of Rule 20, para. 1 of the Implementing Regulations of the Patent Law.

The technical features “said information signal is converted to a corrected potential ... said cathode” in claim 18 are functional technical features, the functional technical features cannot clearly define the active matrix display device in said claim, thus making the protection scope of said claim unclear, which is not in conformity with the provision of Rule 20, para. 1 of the Implementing Regulations of the Patent Law.

The technical feature “a potential of another one of said anode and said cathode is controlled ... signal” defined in claim 29 is a functional technical feature, the functional technical feature cannot clearly define the active matrix display device in said claim, thus making the protection scope of said claim unclear, which is not in conformity with the provision of Rule 20, para. 1 of the Implementing Regulations of the Patent Law.

(II)

The description of this application is not clear, for example, “gate electrode 35” (p. 27, lines 10-11 of the description) is contradictory to “gate electrode 30” (p. 27, line 12 of the description), which is not in conformity with the provision of Rule 18, para. 3 of the Implementing

Regulations of the Patent Law that the description shall use standard terms and be in clear wording.

For the above reasons, a patent right still cannot be granted for this application on the basis of the present text. If the applicant amends the application documents according to the examination opinions put forward in this Office Action and overcomes the existed defects, then it is hopeful that a patent right will be granted for this application. The amendment to the application documents shall conform with the provision of Art. 33 of the Patent Law and shall not go beyond the scope of the disclosure contained in the initial description and claims.